

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: King of Parker, Geren, Romero, Jr.,  
Davis of Harris, Meyer, et al.

H.B. No. 1526

A BILL TO BE ENTITLED

AN ACT

relating to the provision of state death benefits to peace officers  
employed by certain private institutions of higher education  
located in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 615.003, Government Code, is amended to  
read as follows:

Sec. 615.003. APPLICABILITY. This chapter applies only to  
eligible survivors of the following individuals:

(1) an individual:

(A) elected, appointed, or employed as a peace  
officer by the state or a political subdivision of the state under  
Article 2.12, Code of Criminal Procedure, or other law; or

(B) employed as a peace officer by a private  
institution of higher education, including a private junior  
college, that is located in this state under Section 51.212,  
Education Code;

(2) a paid probation officer appointed by the director  
of a community supervision and corrections department who has the  
duties set out in Section 76.002 and the qualifications set out in  
Section 76.005, or who was appointed in accordance with prior law;

(3) a parole officer employed by the Texas Department  
of Criminal Justice who has the duties set out in Section 508.001  
and the qualifications set out in Section 508.113 or in prior law;

(4) a paid jailer;

(5) a member of an organized police reserve or auxiliary unit who regularly assists peace officers in enforcing criminal laws;

(6) a member of the class of employees of the correctional institutions division formally designated as custodial personnel under Section 615.006 by the Texas Board of Criminal Justice or its predecessor in function;

(7) a jailer or guard of a county jail who is appointed by the sheriff and who:

(A) performs a security, custodial, or supervisory function over the admittance, confinement, or discharge of prisoners; and

(B) is certified by the Texas Commission on Law Enforcement;

(8) a juvenile correctional employee of the Texas Juvenile Justice Department;

(9) an employee of the Department of Aging and Disability Services or Department of State Health Services who:

(A) works at the department's maximum security unit; or

(B) performs on-site services for the Texas Department of Criminal Justice;

(10) an individual who is employed by the state or a political or legal subdivision and is subject to certification by the Texas Commission on Fire Protection;

(11) an individual employed by the state or a

political or legal subdivision whose principal duties are aircraft crash and rescue fire fighting;

(12) a member of an organized volunteer fire-fighting unit that:

(A) renders fire-fighting services without remuneration; and

(B) conducts a minimum of two drills each month, each two hours long;

(13) an individual who:

(A) performs emergency medical services or operates an ambulance;

(B) is employed by a political subdivision of the state or is an emergency medical services volunteer as defined by Section 773.003, Health and Safety Code; and

(C) is qualified as an emergency care attendant or at a higher level of training under Section 773.046, 773.047, 773.048, 773.049, or 773.0495, Health and Safety Code;

(14) an individual who is employed or formally designated as a chaplain for:

(A) an organized volunteer fire-fighting unit or other fire department of this state or of a political subdivision of this state;

(B) a law enforcement agency of this state or of a political subdivision of this state; or

(C) the Texas Department of Criminal Justice;

(15) an individual who is employed by the state or a political subdivision of the state and who is considered by the

1 governmental employer to be a trainee for a position otherwise  
2 described by this section;

3 (16) an individual who is employed by the Department  
4 of Public Safety and, as certified by the director, is:

5 (A) deployed into the field in direct support of  
6 a law enforcement operation, including patrol, investigative,  
7 search and rescue, crime scene, on-site communications, or special  
8 operations; and

9 (B) given a special assignment in direct support  
10 of operations relating to organized crime, criminal interdiction,  
11 border security, counterterrorism, intelligence, traffic  
12 enforcement, emergency management, regulatory services, or special  
13 investigations; or

14 (17) an individual who is employed by the Parks and  
15 Wildlife Department and, as certified by the executive director of  
16 the Parks and Wildlife Department, is:

17 (A) deployed into the field in direct support of  
18 a law enforcement operation, including patrol, investigative,  
19 search and rescue, crime scene, on-site communications, or special  
20 operations; and

21 (B) given a special assignment in direct support  
22 of operations relating to organized crime, criminal interdiction,  
23 border security, counterterrorism, intelligence, traffic  
24 enforcement, emergency management, regulatory services, or special  
25 investigations.

26 SECTION 2. The change in law made by this Act relating to  
27 the death of peace officers employed by certain private

1 institutions of higher education located in this state applies only  
2 in relation to a death that occurs on or after the effective date of  
3 this Act. Matters regarding eligibility, payment, and benefits  
4 under Chapter 615, Government Code, in relation to a death that  
5 occurs before the effective date of this Act are governed by the law  
6 in effect when the death occurs, and the former law is continued in  
7 effect for that purpose.

8 SECTION 3. This Act takes effect September 1, 2017.

ADOPTED

✓✓  
MAY 16 2017

*Lotay Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: Joan Huffman

1 Amend H.B. No. 1526 (senate committee report) by adding the  
2 following appropriately numbered SECTIONS to the bill and  
3 renumbering subsequent SECTIONS of the bill accordingly:

4 SECTION \_\_\_\_\_. Sections 1551.114(e), (f), and (g), Insurance  
5 Code, are amended to read as follows:

6 (e) The state [~~An active employee described by Subsection~~  
7 ~~(d) is not eligible to receive a state contribution under~~  
8 ~~Subchapter G for premiums. The community justice assistance~~  
9 ~~division of the Texas Department of Criminal Justice]~~ is  
10 responsible for payment of the contributions for each of a  
11 department's participating active employees and the employees'  
12 dependents [~~that the state would make~~] under Subchapter G [~~if the~~  
13 ~~employees were state employees. Each covered active employee shall~~  
14 ~~pay that portion of the cost of group coverages selected by the~~  
15 ~~employee that exceeds the amount of division contributions]~~.

16 (f) A retired employee is eligible to participate in the  
17 group benefits program on application to the board of trustees. On  
18 application, a retired employee is automatically covered by the  
19 basic coverage for annuitants unless the retired employee  
20 specifically waives coverage or unless the retired employee is  
21 expelled from the program. The state [~~A retired employee is not~~  
22 ~~eligible to receive a state contribution under Subchapter G for~~  
23 ~~premiums. The community justice assistance division of the Texas~~  
24 ~~Department of Criminal Justice]~~ is responsible for payment of the  
25 contributions for each of a department's retired employees and the  
26 retired employees' participating dependents [~~that the state would~~  
27 ~~make~~] under Subchapter G [~~if the retired employees were retired~~  
28 ~~state employees. Each participating retired employee shall pay that~~  
29 ~~portion of the cost of group coverage selected by the retired~~

1 ~~employee that exceeds the amount of division contributions]~~. The  
2 retired employee shall pay contributions required from the retired  
3 employee in the manner prescribed by the board of trustees. Each  
4 community supervision and corrections department shall notify each  
5 of its retired employees of the eligibility for participation and  
6 the costs associated with participation.

7 (g) All contributions received under this section from the  
8 state [~~community justice assistance division of the Texas~~  
9 ~~Department of Criminal Justice~~], active employees of community  
10 supervision and corrections departments, and retired employees of  
11 community supervision and corrections departments for basic,  
12 optional, and voluntary coverages under the group benefits program  
13 shall be paid into the employees life, accident, and health  
14 insurance and benefits fund and shall be used by the board of  
15 trustees to provide those coverages as provided by this chapter.

16 SECTION \_\_\_\_\_. Section 509.011(a-1), Government Code, and  
17 Section 1551.322, Insurance Code, are repealed.

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 17, 2017**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1526** by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty. Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would also amend the Insurance Code to make the state responsible for paying insurance contributions for employees of Community Supervision and Corrections Departments (CSCDs). The Employees Retirement System and the Texas Department of Criminal Justice (TDCJ) indicate that, assuming TDCJ would maintain administrative responsibilities such as billing and reconciling payments with CSCDs, there would not be a significant cost to the state. The bill would also repeal Insurance Code Section 1551.322 and Government Code Section 509.011(a-1).

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 327 Employees Retirement System, 696 Department of Criminal Justice, 304 Comptroller of Public Accounts, 407 Commission on Law Enforcement

**LBB Staff:** UP, KFa, AG, FR, NV, JGA



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 6, 2017**

**TO:** Honorable Joan Huffman, Chair, Senate Committee on State Affairs

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1526** by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
---

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty.

Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 327 Employees Retirement System,  
407 Commission on Law Enforcement

**LBB Staff:** UP, AG, FR, NV, KFa, JGA

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**March 20, 2017**

**TO:** Honorable Phil King, Chair, House Committee on Homeland Security & Public Safety

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1526** by King, Phil (Relating to the provision of state death benefits to peace officers employed by certain private institutions of higher education located in this state.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

The bill would amend Government Code to provide financial assistance to the survivors of peace officers employed by private institutions of private education or private junior colleges who are killed in the line of duty.

Under provisions of the bill, funding of \$500,000 per claim would be provided, as well as monthly payments to surviving children, however the occurrence and timing of these events are too difficult to predict. Based upon historical experience, the Employees Retirement System estimated two additional deaths would be eligible for financial assistance in the five years following implementation of the bill.

The bill would take effect September 1, 2017 and only apply to deaths that occur on or after that date.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 327 Employees Retirement System, 407 Commission on Law Enforcement

**LBB Staff:** UP, FR, NV, KFa, JGA